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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/852,336

05/08/2001

James Duncan Work

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07/25/2006

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EXAMINER

CHEA, PHILIP J

ART UNIT

PAPER NUMBER

2153

DATE MAILED: 07/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/852,336

Applicant(s)

WORK, JAMES DUNCAN

Examiner

Philip J. Chea

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 June 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 148-152, 156, 158, 161, 162 and 172-178 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 148-152, 156, 158, 161, 162 and 172-178 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 27 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 6/12/06.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

This Office Action is in response to an Amendment filed June 12, 2006. Claims 148-152, 156, 158, 161, 162, 172-178 are currently pending, of which claims 176-178 are new.

#### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 148, 150, 155-156, 158, 172, 174, 177-178 are rejected under 35 U.S.C. 102(b) as being anticipated by Michalski ("Collaborative Filters").

As per claim 148, Michalski discloses a computer implemented method, comprising reporting matches to searches initiated by a searcher so long as access control criteria are met (see page 15, paragraph 4), the searches, and the access control criteria (i) being selectably controllable by any of one or more persons in one or more chains of person-to-person relationships connecting and including the searcher and the potential targets (see page 15, paragraph 1), and (ii) defining ranked access levels assigned to said one or more persons, said access levels being defined in terms of attributes of relationships that exist between any two persons in each of said chains of person-to-person relationships connecting the searcher and the potential target to which each of the matches pertain (see page 15, paragraph 5, below "A delicate balance", where varying levels of security based on levels of trust is considered ranked access levels).

As per claim 150, Michalski further discloses that at least one attribute comprises an indication of a connection strength for at least one of the person-to-person relationships between persons forming said one or more chains of person-to-person relationships (see page 15, paragraph 1).

As per claim 155, Michalski further discloses that the matches are reported only so long as a connection between each person associated with said one or more chains of person-to-person

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relationships connecting the searcher and the potential targets satisfies at least one attribute of the access control criteria established by a next subsequent connector in a connection path between the searcher and the potential target (see page 15, paragraphs 4 and 5).

As per claim 156, Michalski further discloses that reporting matches to searches initiated by a searcher so long as access control criteria are met further comprises autonomously brokering connections between the searcher and the potential target so as to provide information regarding the one or more persons in the one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 15, paragraph 4).

As per claim 158, Michalski further discloses that autonomously brokering connections between the searcher and the potential target further comprises brokering, in accordance with one or more instructions supplied by any one or more connecting individuals in an inter-personal connection path from the searcher to a potential target, where such instructions refer to one or more of said attributes of relationships between any two or more said persons in said chains (see page 15, paragraph 5, below "A delicate balance").

As per claim 172, Michalski discloses a computer-implemented method, comprising reporting matches to search criteria specified in a search initiated by a searcher so long as connection strength between each two people forming a person-to-person connection in a chain of person-to-person connections between the search and a potential target exceeds a connection strength threshold, said connection strength being an attribute of access control criteria that are selectably controllable by any of one or more persons in said chain of person-to-person connections between the searcher and the potential target (see page 15, paragraph 5, below "A delicate balance").

As per claim 174, Michalski further discloses that the connection threshold is established by the potential target (see page 15, paragraph 5, below "A delicate balance").

As per claim 177, Michalski further discloses that the access levels are autonomously derived and assigned based on instructions provided by said persons, said instructions referring to combinations

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of said attributes of relationships (see page 15, paragraph 5, below "A delicate balance", where information is available if specifically allowed by the guarding gatekeeper).

As per claim 178, Michalski further discloses that the access levels are autonomously derived and assigned based on data about the attributes of relationships (see page 15, paragraph 5, below "A delicate balance").

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 149,173,175-176 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michalski ("Collaborative Filters").

As per claims 149,175, although Michalski discloses connection strengths for person-to-person relationships (see page 15, paragraph 1, where likely connection and recommendations are considered connection strengths), it fails to expressly disclose that search criteria define a minimum connection strength for a person-to-person relationship that is required between persons forming said on or more chains of person-to-person relationships connecting the searching and the potential targets. However, Michalski shows that personal gatekeeper agents are able to give access at varying levels of security, based on level of trust. At the time of the invention a person skilled in the art would have found it obvious to include a search request that limited the search to a specified connection strength (i.e. minimum strength) in order to filter out the results that the gatekeeper agent will refuse if the level of security does not meet the required level of trust.

As per claim 173, given the reasoning above, it would have been obvious that the connection strength threshold is included in the search criteria specified by the searcher in order to filter out the

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results that the gatekeeper agent will refuse if the level of security does not meet the required level of trust.

As per claim 176, Michalski does not expressly disclose that the relationships include a relationship to a group with which at least one of said persons in one of said chains is associated. However, given that Michalski shows personal gatekeeper agents are able to give access at varying levels of security, based on level of trust, it would have been obvious to one skilled in the art at the time of the invention to include access groups based on the levels of security in order to organize the authorization required much like that of operating systems employing group IDs with varying levels of authority.

3. Claims 151-152 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michalski as applied to claim 148 above, and further in view of Kautz et al. ("The Hidden Web"), herein referred to as Kautz.

As per claim 151, although the system disclosed by Michalski shows substantial features of the claimed invention (discussed above), it fails to disclose that the search criteria include a connection threshold specified by the searcher, the connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships connecting the searcher and the potential targets.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Michalski, as evidenced by Kautz.

In an analogous art, Kautz discloses that the search criteria include a connection threshold specified by the searcher, the connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships connecting the searcher and the potential targets (see page 32, Figure 2).

Given the teaching of Kautz, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Michalski by employing a connection threshold,

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such as disclosed by Kautz, in order to search for a person that is more likely to know someone the searcher knows.

As per claim 152, Michalski in view of Kautz further disclose that the access control criteria comprises a connection threshold indicating a maximum number of person-to-person relationships to be allowed in establishing said one or more chains of person-to-person relationships (see Kautz page 32, Figure 2).

4. Claims 161,162 is rejected under 35 U.S.C. 103(a) as being unpatentable over Michalski as applied to claim 148 above, and further in view of Walker et al. (US 5,884,270), herein referred to as Walker.

As per claim 161, although the system disclosed by Michalski shows substantial features of the claimed invention (discussed above), it fails to disclose whether a third party evaluation report is accessible to the searcher, said third party evaluation report (i) pertaining to a person forming a person-to-person relationship connecting the searcher and the potential target, and (ii) being integrated with a personal profile of said person forming a person-to-person relationship connecting the searcher and the potential target.

Nonetheless, these features are well known in the art and would have been an obvious modification of the system disclosed by Michalski, as evidenced by Walker.

In an analogous art, Walker discloses a system for facilitating employment searches where upon receiving criteria for candidates of interest from an employer, releasing to the employer the employment data associated with the candidates (see Abstract). Further showing that a third party evaluation report is accessible to the searcher, the third party evaluation report being integrated with a personal profile (see columns 17 and 18, lines 63-67 and 1-23).

Given the teaching of Walker, a person having ordinary skill in the art would have readily recognized the desirability and advantages of modifying Michalski by employing a third party evaluation report, such as disclosed by Walker, in order to verify the credentials of a possible target.

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In considering pertaining to a person forming a person-to-person relationship, it would have been obvious to a person skilled in the art that the third party evaluation would be used on a person forming a person-to-person relationship as shown in Michalski.

As per claim 162, it would have been obvious to one skilled in the art at the time of the invention to make the third party evaluation report inaccessible to the person that the third party evaluation report pertains in order to keep the evaluation report confidential.

### ***Response to Arguments***

5. Applicant's arguments with respect to claims 148-152,156,158,161,162,172-178 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip J. Chea whose telephone number is 571-272-3951. The examiner can normally be reached on M-F 7:00-4:30 (1st Friday Off).



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Philip J Chea  
Examiner  
Art Unit 2153

PJC 6/29/06



KRISNA LIM  
PRIMARY EXAMINER